

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA
TITLE III

No. 17-BK-03283 (LTS)

(Jointly Administered)

**AMENDED VERIFIED STATEMENT IN COMPLIANCE WITH REQUIREMENTS
UNDER THE *PUERTO RICO RECOVERY ACCURACY IN DISCLOSURES ACT*, PUB. L.
NO. 117-82 (“*PRRADA*”) OF ILEANA C. CARDONA FERNANDEZ, ESQ., LOCAL
CONFLICTS COUNSEL TO THE FINANCIAL OVERSIGHT AND MANAGEMENT
BOARD, ACTING THROUGH ITS SPECIAL CLAIMS COMMITTEE**

TO THE HONORABLE LAURA TAYLOR SWAIN
UNITED STATES DISTRICT COURT JUDGE:

Ileana C. Cardona Fernández, Esq., local conflicts counsel to the Financial Oversight and Management Board, acting through its Special Claims Committee (the “Oversight Board”) as representative of the Commonwealth of Puerto Rico, the Puerto Rico Sales Tax Financing Corporation, the Puerto Rico Highways and Transportation Authority, the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, and the Puerto Rico Electric Power Authority (collectively, the “Debtors”) in the above-captioned title III cases (the “Title III Cases”) pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act*

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (iv) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) Last Four Digits of Federal Tax ID: 3808); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

(“PROMESA”),² hereby submits this *Verified Statement* pursuant to the disclosure requirements set forth by the *Puerto Rico Recovery Accuracy in Disclosures Act*, Pub. L. No. 117-82 (hereinafter “*PRRADA*”) and Rule 2014(a) of the Federal Rules of Bankruptcy Procedure, in accordance with this Honorable Court’s directive in its *Order Approving List of Material Interested Parties Pursuant to the Puerto Rico Recovery Accuracy in Disclosures Act* (DN 20467). In support of this *Verified Statement*, Ileana C. Cardona Fernández, Esq. respectfully sets forth the following:

A. Retention of Ileana C. Cardona Fernández, Esq.

1. Ileana C. Cardona Fernández, Esq. is a sole practitioner with her office located in San Juan, Puerto Rico. Ms. Cardona Fernández is experienced in federal litigation and trial work.

2. As set forth in the Independent Contractor Services Agreement dated April 30, 2019 (the “Services Agreement”),³ Ileana C. Cardona Fernández, Esq. was retained by the Oversight Board, acting through its Special Claims Committee, as an independent contractor rendering services per Project Assignments. Ms. Cardona Fernández has been retained to serve as local conflicts counsel for the Oversight Board, acting through its Special Claims Committee, in adversary proceedings as well as in the evaluation of potential claims. The Services Agreement was renewed as of July 1, 2021.

3. Ms. Cardona was selected to provide services to the Oversight Board, acting through its Special Claims Committee, to serve as local conflicts counsel for the Board in adversary proceedings and in the evaluation of potential claims in which the Board’s local counsel was unable to assist due to a potential conflict of interest.

4. Ms. Cardona’s compensation was set at a fixed fee of \$225.00 per hour, plus valid reimbursed expenses, unless changed in writing and signed by the Executive Director of the Board.

² PROMESA has been codified in 48 U.S.C. §§ 2101-2241.

³ A copy of the Service Agreement is available on the Oversight Board’s website at <http://oversightboard.pr.gov/documents/>.

B. Professional Services rendered by Ms. Ileana C. Cardona Fernández, Esq.

5. Ileana C. Cardona Fernández, Esq. actively engaged in the process of communication with co-counsel with regards to strategy and case management planning. In addition, Ileana C. Cardona Fernández, Esq. actively participated in case management and administration related tasks per team agreement and direction.

6. Ileana C. Cardona Fernández actively participated in the drafting, review, filing, and follow-up of avoidance actions. Ileana C. Cardona Fernández, Esq. actively participated in communications with opposing counsel to discuss case progression and reach agreements regarding case-specific courses of action. Ileana C. Cardona Fernández participated in calls with co-counsels to provide status reports and recommendations for specific actions. In addition, Ileana C. Cardona Fernández, Esq. engaged in periodic follow-up discussions with co-counsels regarding case issues.

7. Ileana C. Cardona Fernández actively participated in the review and follow-up of tolling agreement vendors. Ileana C. Cardona Fernández, Esq. actively participated in communications with opposing counsel to discuss progression and reach agreements regarding matter-specific courses of action. Ileana C. Cardona Fernández participated in calls with co-counsels to provide status reports and recommendations for specific actions. In addition, Ileana C. Cardona Fernández, Esq. engaged in periodic follow-up discussions with co-counsels regarding related issues.

8. Ileana C. Cardona Fernández prepared and submitted Monthly Fee Statements and corresponding Objection Statements. Ileana C. Cardona Fernández also prepared and submitted Interim Fee Applications for the corresponding Compensation Periods.

9. In sum, the services rendered by Ileana C. Cardona Fernández, Esq. have been and continue to be necessary and beneficial to the Oversight Board, have been and continue to be reasonable in light of the value of such services to the Oversight Board, and have been and continue to be performed with skill and expertise.

C. Connections of Ms. Ileana C. Cardona Fernández, Esq. to Material Interested Parties pursuant to *Amended List of Material Interested Parties* approved at DN 20467.

10. Schedule 1: Debtors

Ileana C. Cardona Fernández, Esq. hereby discloses that, being a resident of and domiciled in Puerto Rico, she has, by default, electric power service provided by the Puerto Rico Electric Power Authority (PREPA).

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no further connections with the parties or people listed herein.

11. Schedule 2: Current Oversight Board Executive Director, Members, and Staff

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the people listed herein.

12. Schedule 3: United States Trustee Personnel for the District of Puerto Rico

Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the people listed herein.

13. Schedule 4: Retained Professionals

Schedule 4(A) Professionals Retained in Commonwealth Title III Case

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the people listed herein. Ileana C. Cardona Fernández, Esq. further certifies that she appears on this list as a retained professional.

Schedule 4(B) Professionals Retained in ERS Title III Case

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the people listed herein. Ileana C. Cardona Fernández, Esq. further certifies that she appears on this list as a retained professional.

Schedule 4(C) Professionals Retained in PBA Title III Case

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the people listed herein.

Schedule 4(D) Professionals Retained in PREPA Title III Case

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the people listed herein. Ileana C. Cardona Fernández, Esq. further certifies that she appears on this list as a retained professional.

Schedule 4(E) Professionals Retained in HTA Title III Case

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the people listed herein. Ileana C. Cardona Fernández, Esq. further certifies that she appears on this list as a retained professional.

14. Schedule 5: Other Parties in Interest

Schedule 5(A) Other Parties in Interest - Commonwealth

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the parties or people listed herein.

Schedule 5(B) Other Parties in Interest - ERS

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the parties or people listed herein.

Schedule 5(C) Other Parties in Interest - PBA

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the parties or people listed herein.

Schedule 5(D) Other Parties in Interest - PREPA

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the parties or people listed herein.

Schedule 5(E) Other Parties in Interest - HTA

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the parties or people listed herein.

15. Schedule 6: Statutory Committee Members

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the parties or people listed herein.

16. Schedule 7: Plan Support Agreement Parties

Schedule 7(A) Plan Support Agreement Parties - Commonwealth

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the parties or people listed herein.

Schedule 7(B) Plan Support Agreement Parties - ERS

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the parties or people listed herein.

Schedule 7(C) Plan Support Agreement Parties - PBA

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the parties or people listed herein.

Schedule 7(D) Plan Support Agreement Parties - PREPA

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a

position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the parties or people listed herein.

Schedule 7(E) Plan Support Agreement Parties - HTA

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the parties or people listed herein.

17. Schedule 8: Material Creditors

Schedule 8(A) Material Creditors of the Commonwealth

Ileana C. Cardona Fernández, Esq. hereby discloses that her personal bank accounts are located with Banco Popular de Puerto Rico.

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no further connections with the parties or people listed herein.

Schedule 8(B) Material Creditors of ERS

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the parties or people listed herein.

Schedule 8(C) Material Creditors of PBA

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the parties or people listed herein.

Schedule 8(D) Material Creditors of PREPA

Ileana C. Cardona Fernández, Esq. hereby discloses that her personal bank accounts are located with Banco Popular de Puerto Rico.

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Schedule 8(E) Material Creditors of HTA

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the parties or people listed herein.

Schedule 8(F) Material Creditors of COFINA

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the parties or people listed herein.

18. Schedule 9: Inactive Claims

Schedule 9(A) Inactive Claims - Commonwealth

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the parties or people listed herein.

Schedule 9(B) Inactive Claims - ERS

Ileana C. Cardona Fernández, Esq. hereby discloses that her personal bank accounts are located with Banco Popular de Puerto Rico.

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Schedule 9(C) Inactive Claims - PBA

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no connections with the parties or people listed herein.

Schedule 9(D) Inactive Claims - PREPA

Ileana C. Cardona Fernández, Esq. hereby discloses that her personal bank accounts are located with Banco Popular de Puerto Rico.

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of her knowledge, she has no further connections with the parties or people listed herein.

Schedule 9(E) Inactive Claims - HTA

Ileana C. Cardona Fernández, Esq. hereby discloses that her personal bank accounts are located with Banco Popular de Puerto Rico.

Other than serving as local conflicts counsel to the Oversight Board, acting through its Special Claims Committee, and the professional interactions that such a position requires, Ileana C. Cardona Fernández, Esq. hereby certifies that, to the best of her knowledge, she has no further connections with the parties or people listed herein.

Schedule 9(F) Inactive Claims - COFINA

Ileana C. Cardona Fernández, Esq. hereby discloses that her personal bank accounts are located with Banco Popular de Puerto Rico.

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D. Procedures and Methodology applied to determine potential connections with material interested parties

To determine whether a potential connection to the material interested parties, the undersigned personally examined all Schedules and cross-referenced each material interested party with her active and inactive client base, which is in her professional database as part of her regular course of business. Moreover, the undersigned also personally cross-referenced each material interested party with her personal and additional professional relationships to ascertain the existence of and/or rule out any potential connection.

E. Statement on supplemental disclosures

Should a conflict of interest and/or any additional information relating to potential connections to material interested parties that would require disclosure arise, the undersigned certifies that a supplemental disclosure shall be filed at the earliest convenience.

Conclusion

WHEREFORE, Ileana C. Cardona Fernández, Esq. respectfully requests that this Honorable Court TAKE NOTICE of the present *Verified Statement* submitted in compliance with the disclosure requirement set forth in the *Puerto Rico Recovery Accuracy in Disclosures Act*, Pub. L. No. 117-82, as well as with Rule 2014(a) of the Federal Rules of Bankruptcy Procedure.

San Juan, Puerto Rico
Dated: May 31, 2022

/s/ Ileana C. Cardona Fernández

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